

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION

UNITED STATES OF AMERICA

v.

CRIMINAL NO. 5:08cr23DCB-LRA

DERRIC MARKEE BERRY

ORDER OF DISMISSAL

Pursuant to Rule 48(a) of the Federal Rules of Criminal Procedure, and by leave of Court endorsed herein, the United States Attorney for the Southern District of Mississippi hereby dismisses Counts 2 and 3 of the Criminal Indictment against DERRIC MARKEE BERRY without prejudice.

STAN HARRIS
Acting United States Attorney

By: S/Sandra Moses

SANDRA MOSES
Assistant U.S. Attorney
GA Bar No. 283815

Leave of Court is granted for the filing of the foregoing dismissal.

ORDERED this 23rd day of February, 2009.

s/ David Bramlette
UNITED STATES DISTRICT JUDGE